

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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RASHAAD D. GUERRERO,  
Plaintiff,

12 **CIVIL** 5763 (SHS)

13 **CIVIL** 1204 (SHS)

-against-

**JUDGMENT**

FJC SECURITY SERVICES INC., and LOCAL  
32 BJ SEIU,

Defendants.

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Whereas on August 19, 2013, the Honorable Ronald L. Ellis, United States Magistrate Judge, having issued a Report and Recommendation (the "report") recommending that (1) FJC Security Services Inc.'s motion to confirm the arbitrator's award and motion to dismiss the amended complaint for failure to state a claim pursuant to Fed. R. Civ. P. 12(b)(6) be granted; (2) Local 32 BJ SEIU's motion to dismiss the first amended complaint and in opposition to motion for leave to file a second amended complaint be granted; (3) Guerrero's request to vacate the arbitration award be denied; and (4) Local 32 BJ SEIU's motion to dismiss plaintiff's complaint in 13 Civ. 1204 be granted; to date, no objections having been received by this Court, and the matter having come before the Honorable Sidney H. Stein, United States District Judge, and the Court, on September 18, 2013, having rendered its Order adopting Magistrate Judge Ellis's Report & Recommendation, granting FJC Security's motion to confirm the arbitrator's award and motion to dismiss the amended complaint in this action are granted, granting Local 32 BJ SEIU's motion to dismiss the first amended complaint in 12 Civ. 5763, denying Guerrero's request to vacate the arbitration award in 12 Civ. 5763, granting Local 32 BJ SEIU's motion to dismiss the complaint in 13 Civ. 1204, and dismissing the complaints in 12 Civ. 5763 and 13 Civ. 1204 with prejudice, it is,


**ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated September 18, 2013, Magistrate Judge Ellis's Report & Recommendation is adopted; FJC Security's motion to confirm the arbitrator's award and motion to dismiss the amended complaint in this action are granted; Local 32 BJ SEIU's motion to dismiss the first amended complaint in 12 Civ. 5763 is granted; Guerrero's request to vacate the arbitration award in 12 Civ. 5763 is denied; Local 32 BJ SEIU's motion to dismiss the complaint in 13 Civ. 1204 is granted; and the complaints in 12 Civ. 5763 and 13 Civ. 1204 are dismissed with prejudice; accordingly, these actions are closed.

**Dated:** New York, New York  
September 25, 2013

**RUBY J. KRAJICK**

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**Clerk of Court**

BY:

  
\_\_\_\_\_  
**Deputy Clerk**

**THIS DOCUMENT WAS ENTERED  
ON THE DOCKET ON \_\_\_\_\_**